THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.7546 OF 2006

DATED:18-04-2006

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Between:

K. Narayana and others ..Petitioners

And

The Joint Collector, Ranga Reddy District, Hyderabad and others ..Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.7546 OF 2006

ORDER:

The petitioners, who are three in number, are aggrieved by the inaction on the part of the first respondent in disposing of the application filed by them on 03.04.2006 praying to set aside the order of the first respondent, dated 21.10.2005, dismissing the appeal filed by them for default/non-prosecution.

The petitioners allegedly are the owners of agricultural land admeasuring Acs.6.24 guntas in survey No.498 situated at Janwada Village, Shankerpally Mandal, Ranga Reddy District. It appears, respondents 3 to 5 herein filed an application under Sections 32 and 40 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 ('the Act', for brevity), seeking restoration of the said land and for succession certificate. The second respondent herein passed orders on 30.09.2002 under Section 32(1) of the Act restoring the land in survey No.498 to respondents 3 to 5. This was challenged before the first respondent under Section 90 of the Act by way of an appeal, which was dismissed for default.

The learned counsel for the petitioners, the learned Assistant Government Pleader for Revenue (General) and the learned counsel for respondents 3 to 5 do not dispute that the application filed by the petitioners seeking to set a side the *ex parte* order is still pending before the Joint Collector. Therefore, it would be appropriate for the first respondent to dispose of the said application after giving notice to the petitioners as

well as respondents 3 to 5 within a period of two weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

18.04.2006

GJ